

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEVELOPMENTAL SERVICES OF) 4:04CV3272
NEBRASKA,)
)
Plaintiff,)
)
vs.) **ORDER**
)
CITY OF LINCOLN, and DENNIS)
HOHBEIN, as Fire Marshal of the)
State of Nebraska,)
)
Defendants.)

IT IS ORDERED that filing 113, Defendant Dennis Hohbein's motion for leave to file an out-of-time brief in opposition to Defendant City of Lincoln's motion for partial summary judgment (filing 89)¹ is granted in part and denied in part, as follows:

1. Defendant Hohbein may file a brief in opposition to the Defendant City of Lincoln's motion on or before May 24, 2006;
2. Defendant City of Lincoln and Plaintiff may each file a reply brief on or before May 31, 2006; and
3. In all other respects, Defendant Hohbein's motion is denied.

May 10, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge

¹ Although a second amended complaint has subsequently been filed, the court assumes that the motion for partial summary judgment has not been rendered moot, either in whole or in part. If this assumption is incorrect, the parties should advise the court immediately.